

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRANDON TOLE,

Plaintiff,

v.

AMAZON.COM SERVICES LLC; a Delaware  
Limited Liability Company,

Defendant.

Case No. 2:22-cv-00594-MJP

**JOINT STIPULATED MOTION  
FOR APPROVAL AND ENTRY OF  
CONSENT DECREE**

Plaintiff Brandon Tole joined the above-captioned action in the United States District Court for the Western District of Washington, Seattle Division on January 4, 2023, and alleged that Defendant Amazon.com Services LLC (“Amazon”) violated the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”) by failing to promote him because of his military service. Amazon denies that it violated any provision of USERRA or any other law with respect to Mr. Tole’s employment.

Nevertheless, after engaging in settlement discussions, and to avoid the burdens of contested litigation, Mr. Tole and Amazon (the “parties”) entered into a Confidential Settlement Agreement and Release and filed a Notice of Settlement relating thereto on November 19, 2024. (Dkt. 143). On November 20, 2024, the Court entered an Order Vacating Trial Date and Pretrial Deadlines and ordered (1) the parties to file a joint motion for entry of a consent decree, and (2)

1 Plaintiff to file his motion for attorneys' fees and costs by December 20, 2024. (Dkt. 144). The  
 2 parties have agreed to the attached proposed Consent Decree (the "Decree").

3 The parties now jointly move the Court for the approval and entry of the attached Decree  
 4 to resolve the above-captioned case. The Decree, if entered by the Court, resolves all claims of  
 5 Mr. Tole raised in the Complaint filed by Mr. Tole, subject to the Court's reservation of jurisdiction  
 6 to resolve any motion for attorneys' fees and costs filed by Mr. Tole. The Decree, being entered  
 7 into with the consent of the parties, shall not constitute an adjudication or finding on the merits of  
 8 the case, nor be construed as an admission by Amazon or a finding of violation of any applicable  
 9 federal law or regulation. A Proposed Order entering the Decree is attached.

10 RESPECTFULLY SUBMITTED this 20th day of December 2024.  
 11

12 By: s/ Brian J. Lawler

13 Brian J. Lawler (*pro hac vice*)

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**(PROPOSED) ORDER  
APPROVING AND ENTERING  
CONSENT DECREE**

Upon reviewing Plaintiff, Brian Tole, and Defendant, Amazon.com Services LLC's Stipulated Motion for Approval and Entry of Consent Decree, the Court finds that the Motion should be granted. It is hereby **ORDERED** that:

1. The Consent Decree is approved and entered without modification.
2. The Court retains jurisdiction to enforce the terms of the Consent Decree and adjudication of any motion for Attorneys' Fees.

**IT IS SO ORDERED.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
The Honorable Marsha J. Pechman

1 PRESENTED BY:

2 s/ Brian J. Lawler

3 Brian J. Lawler (*pro hac vice*)

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9 *Counsel for Plaintiff Brandon Tole*

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JOINT MOTION FOR  
APPROVAL AND ENTRY OF CONSENT  
DECREE – 5  
(Case No. 22-CV-594)

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Phone: 619.255.2398

**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on December 20, 2024, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notification of the filing to the email addresses indicated on the Court's Electronic Mail Notice List.

Dated: December 20, 2024

/s/ Brian J. Lawler  
Brian J. Lawler